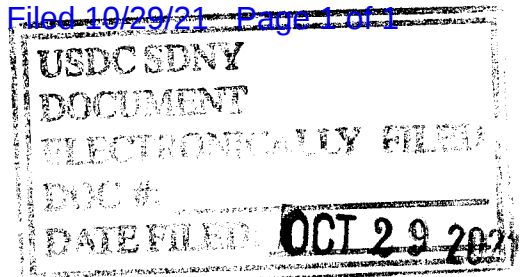


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



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IN RE:

TERRORIST ATTACKS ON
SEPTEMBER 11, 2001
-----X

MEMORANDUM DECISION

AND ORDER

03 MDL 1570 (GBD) (SN)


GEORGE B. DANIELS, United States District Judge

In anticipation of the evidentiary hearing on November 1, 2021 in front of Magistrate Judge Netburn regarding the violation of a Protective Order in this action, witness, John Fawcett informed the court that he planned on invoking his Fifth Amendment right. Mr. Fawcett had previously submitted two declarations on September 27, 2021 and September 30, 2021 discussing his actions in violating the Protective Order and that no one at the Kreindler law Firm knew he had done so. On October 28, Judge Netburn held oral argument on the issue of whether because of these declarations Mr. Fawcett had waived his Fifth Amendment privilege. She ruled orally that he had waived the privilege as to the subject matter of the Declarations. Mr. Fawcett appeals this decision.

Mr. Fawcett's appeal is DENIED. Mr. Fawcett is ordered to testify and be cross-examined on November 1, 2021 as to the subject matter of the Declarations.

Dated: October 29, 2021
New York, New York

SO ORDERED.



GEORGE B. DANIELS
United States District Judge